

Exhibit 7

From: Tubach, Michael
Sent: Wednesday, August 11, 2021 3:45 PM
To: #PennDOJ
Subject: FW: In re Broiler Chicken Grower Antitrust Litigation No. II, MDL No. 6:20-2977-RJS-CMR (E.D. Okla.)

From: Tubach, Michael
Sent: Tuesday, August 10, 2021 3:37 PM
To: 'Gary I. Smith, Jr.' <GSmith@hausfeld.com>; 'Dan Walker' <dwalker@bm.net>; Pletcher, Anna T. <apletcher@omm.com>
Cc: 'BroilerGrowerAT@hausfeld.com' <BroilerGrowerAT@hausfeld.com>; 'Ellen Noteware' <enoteware@bm.net>
Subject: RE: In re Broiler Chicken Grower Antitrust Litigation No. II, MDL No. 6:20-2977-RJS-CMR (E.D. Okla.)

Typing too fast. Meant "accepting" service.

From: Tubach, Michael
Sent: Tuesday, August 10, 2021 3:31 PM
To: 'Gary I. Smith, Jr.' <GSmith@hausfeld.com>; Dan Walker <dwalker@bm.net>; Pletcher, Anna T. <apletcher@omm.com>
Cc: BroilerGrowerAT@hausfeld.com; Ellen Noteware <enoteware@bm.net>
Subject: RE: In re Broiler Chicken Grower Antitrust Litigation No. II, MDL No. 6:20-2977-RJS-CMR (E.D. Okla.)

Yes, we are expecting service, with the understanding that whatever date you put in the subpoena will need to be adjusted to reflect the court's ruling and our various schedules. I assume the date you are putting in the subpoena is a placeholder.

Thanks,

Michael

From: Gary I. Smith, Jr. <GSmith@hausfeld.com>
Sent: Tuesday, August 10, 2021 3:26 PM
To: Tubach, Michael <mtubach@omm.com>; Dan Walker <dwalker@bm.net>; Pletcher, Anna T. <apletcher@omm.com>
Cc: BroilerGrowerAT@hausfeld.com; Ellen Noteware <enoteware@bm.net>
Subject: RE: In re Broiler Chicken Grower Antitrust Litigation No. II, MDL No. 6:20-2977-RJS-CMR (E.D. Okla.)

[EXTERNAL MESSAGE]

Michael,

Since we've reached agreement on a briefing schedule, can you confirm you'll be accepting service, too? If you could let us know soon on that we can make sure it doesn't go out for personal service - I believe it was slated to go out tomorrow.

Thanks,

Gary

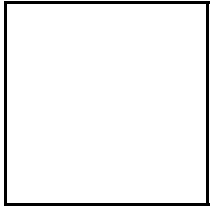
GARY I. SMITH, JR.

Partner

gsmith@hausfeld.com

+1 267 702 2318 direct

Pronouns: he/him/his



325 Chestnut Street
Suite 900
Philadelphia, PA 19106
+1 215 985 3270
hausfeld.com

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From: Tubach, Michael <mtubach@omm.com>

Sent: Tuesday, August 10, 2021 6:07 PM

To: Dan Walker <dwalker@bm.net>; Gary I. Smith, Jr. <GSmith@hausfeld.com>; Pletcher, Anna T. <apletcher@omm.com>

Cc: BroilerGrowerAT@hausfeld.com; Ellen Noteware <enoteware@bm.net>

Subject: RE: In re Broiler Chicken Grower Antitrust Litigation No. II, MDL No. 6:20-2977-RJS-CMR (E.D. Okla.)

Dan,

I was traveling last week, so apologies for not getting back to you sooner. We are fine with the briefing schedule you have proposed.

Best regards,

Michael

From: Daniel J. Walker <dwalker@bm.net>

Sent: Monday, August 2, 2021 4:40 PM

To: Tubach, Michael <mtubach@omm.com>; Gary I. Smith, Jr. <GSmith@hausfeld.com>; Pletcher, Anna T. <apletcher@omm.com>

Cc: BroilerGrowerAT@hausfeld.com; Ellen Noteware <enoteware@bm.net>

Subject: RE: In re Broiler Chicken Grower Antitrust Litigation No. II, MDL No. 6:20-2977-RJS-CMR (E.D. Okla.)

[EXTERNAL MESSAGE]

Michael,

I am responding because Gary is out of pocket.

Here is a suggested briefing schedule: You file your motion on August 30; we have 4 weeks to respond; you have 2 weeks to reply. Unfortunately, we cannot offer more than that given the schedules in our case and Mr. Penn's case. Please let us know if this works for you.

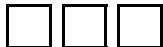
Please also confirm that you are accepting service, otherwise we will need to serve Mr. Penn directly.

Best regards,

Dan

Daniel J. Walker / *Shareholder*

☐ 202.559.9745 ☐ 206.883.8808



☐ 2001 PENNSYLVANIA AVE., NW, SUITE 300
WASHINGTON, DC 20006

From: Tubach, Michael <mtubach@omm.com>

Sent: Monday, August 2, 2021 12:39 PM

To: Gary I. Smith, Jr. <GSmith@hausfeld.com>; Pletcher, Anna T. <apletcher@omm.com>

Cc: BroilerGrowerAT@hausfeld.com; Ellen Noteware <enoteware@bm.net>

Subject: RE: In re Broiler Chicken Grower Antitrust Litigation No. II, MDL No. 6:20-2977-RJS-CMR (E.D. Okla.)

Gary,

Thanks for following up. I will accept service of the subpoena on Jayson Penn's behalf once we agree on a briefing schedule for the motion for a protective order. The date you put in the subpoena (August 23) is obviously too soon. Do you have a suggestion in that regard?

Best regards,

Michael

From: Gary I. Smith, Jr. <GSmith@hausfeld.com>

Sent: Sunday, August 1, 2021 12:41 PM

To: Tubach, Michael <mtubach@omm.com>; Pletcher, Anna T. <apletcher@omm.com>

Cc: BroilerGrowerAT@hausfeld.com; Ellen Noteware <enoteware@bm.net>

Subject: RE: In re Broiler Chicken Grower Antitrust Litigation No. II, MDL No. 6:20-2977-RJS-CMR (E.D. Okla.)

[EXTERNAL MESSAGE]

Checking in on this Michael.

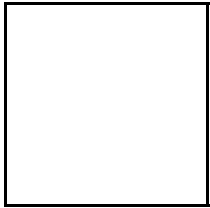
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Partner

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From: Tubach, Michael <mtubach@omm.com>

Sent: Tuesday, July 27, 2021 9:05 PM

To: Gary I. Smith, Jr. <GSmith@hausfeld.com>; Pletcher, Anna T. <apletcher@omm.com>

Cc: BroilerGrowerAT@hausfeld.com; Ellen Noteware <enoteware@bm.net>

Subject: RE: In re Broiler Chicken Grower Antitrust Litigation No. II, MDL No. 6:20-2977-RJS-CMR (E.D. Okla.)

Gary,

I was on vacation last week and have not had a chance to speak with Jayson Penn about this yet. I will do so and get back to you by Friday of this week. Please let me know if you have any questions.

Best regards,

Michael

From: Gary I. Smith, Jr. <GSmith@hausfeld.com>

Sent: Friday, July 23, 2021 12:21 PM

To: Tubach, Michael <mtubach@omm.com>; Pletcher, Anna T. <apletcher@omm.com>

Cc: BroilerGrowerAT@hausfeld.com; Ellen Noteware <enoteware@bm.net>

Subject: In re Broiler Chicken Grower Antitrust Litigation No. II, MDL No. 6:20-2977-RJS-CMR (E.D. Okla.)

[EXTERNAL MESSAGE]

Michael,

I write to follow up on our discussion about the anticipated deposition of your client, Jayson Penn. We have considered the suggestion to wait until after Mr. Penn's criminal trial to take his deposition. We understand from our discussion that that criminal trial, as currently scheduled, will conclude on or about December 22, 2021, which is approximately one month before the close of our fact discovery deadline and our deadline for expert reports (both of which are February 1, 2022). We also understand from our discussion that Mr. Penn would assert his fifth amendment rights in any deposition scheduled before his criminal trial. For any deposition scheduled after his criminal trial, Mr. Penn might provide substantive testimony, but may well still assert his fifth amendment rights after his criminal trial has concluded.

Given these circumstances, there is no justification for waiting to depose Mr. Penn until the eleventh hour of our discovery period.

I have attached a subpoena and a deposition notice for Mr. Penn's deposition. We assume your client would prefer not to be visited by a process server and would ask that you confirm that you will accept service of these documents through this email by Tuesday July 27, 2021 to avoid us engaging a process server to effectuate service.

If you would like to discuss alternative dates or locations for the deposition, please let us know. If you intend to file a motion for a protective order, please let us know if you would like to discuss a briefing schedule. We can make ourselves available at your convenience.

Enjoy your weekend,

Gary

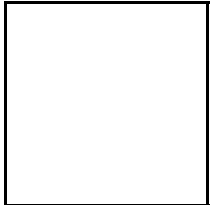
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